BILL NO. Z-84-08-16

ZONING MAP ORDINANCE NO. Z-21-84

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-22.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a P.O.D. (Professional Office District) under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Lot Number 44 in Riverside Second Addition to the City of Fort Wayne, Indiana, together with Lot #45 and all that part of Lot #46 lying Westerly of the Westerly right-of-way line of Kentucky Avenue as platted in Washington Elm Addition to the City of Fort Wayne, Indiana, all being in Riverside Second Addition to the City of Fort Wayne, Indiana, also together with Lot 58, Riverside Second Addition to the City of Fort Wayne, Indiana, further together with Lots Numbered 1, 2, 3, 4 and 5 in Washington Elm Addition to the City of Fort Wayne, Allen County, Indiana

and the symbols of the City of Fort Wayne Zoning Map No. N-22, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Janet G. Bradbury
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Bradbury, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____.M.,E.S

DATE: 8-14-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third ~~time~~ in full and on motion by Bradbury, seconded by Stier, and duly adopted, placed on ~~its~~ passage. PASSED ~~(LOST)~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	7	1		1	
BRADBURY	✓				
BURNS	✓				
EISBART	✓				
GiaQUINTA	✓				
HENRY	✓				
REDD	✓				
SCHMIDT				✓	
STIER		✓			
TALARICO	✓				

DATE: 9-11-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ (GENERAL) ~~(SPECIAL)~~ (ZONING MAP) ORDINANCE ~~(RESOLUTION)~~ NO. Z-21-84 on the 11th day of September, 19 84.

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)
Ray A. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 19 84, at the hour of 11:30 o'clock A.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of September, 19 84, at the hour of 2:00 o'clock P.M.,E.S.T.

WIN MOSES, JR., MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

#86

RECEIPT NO. No Fee

DATE FILED 17 July 1984

INTENDED USE Professional Offices

THIS IS TO BE FILED IN DUPLICATE

I/We Zohrab K. Tazian
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an P.O.D. District the property described as follows:

Lot Number 44 in Riverside Second Addition to the City of Fort Wayne, Indiana, together with Lot #45 and all that part of Lot #46 lying Westerly of the Westerly of the Westerly right-of-way line of Kentucky Avenue as platted in Washington Elm Addition to the City of Fort Wayne, Indiana, all being in Riverside Second Addition to the City of Fort Wayne, Indiana, also together with Lot 58, Riverside Second Addition to the City of Fort Wayne, Indiana, further together with Lots Numbered 1, 2, 3, 4 and 5 in Washington Elm Addition to the City of Fort Wayne, Allen County, Indiana.

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED: 1025 Vance Ave - Riverside Elementary School

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Zohrab K. Tazian	345 W. Wayne Street 02	X Zohrab K. Tazian
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____.
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matte for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

Zohrab K. Tazian	345 W. Wayne Street	424-3232
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana on August 14, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-08-16; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 20, 1984;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's follwing "Finding of Facts":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 27, 1984.

Certified and signed this
29th day of August 1984.

Melvin O. Smith
Secretary

BILL NO. Z-84-08-16

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN ORDINANCE amending the CIty of Fort Wayne Zoning Map No. N-22

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

JANET G. BRADBURY, CHAIRWOMAN — Janet G. Bradbury

SAMUEL J. TALARICO, VICE CHAIRMAN — Samuel J. Talarico

CHARLES B. REDD — Charles B. Redd

MARK E. GiaQUINTA — Mark E. GiaQuinta

JAMES S. STIER

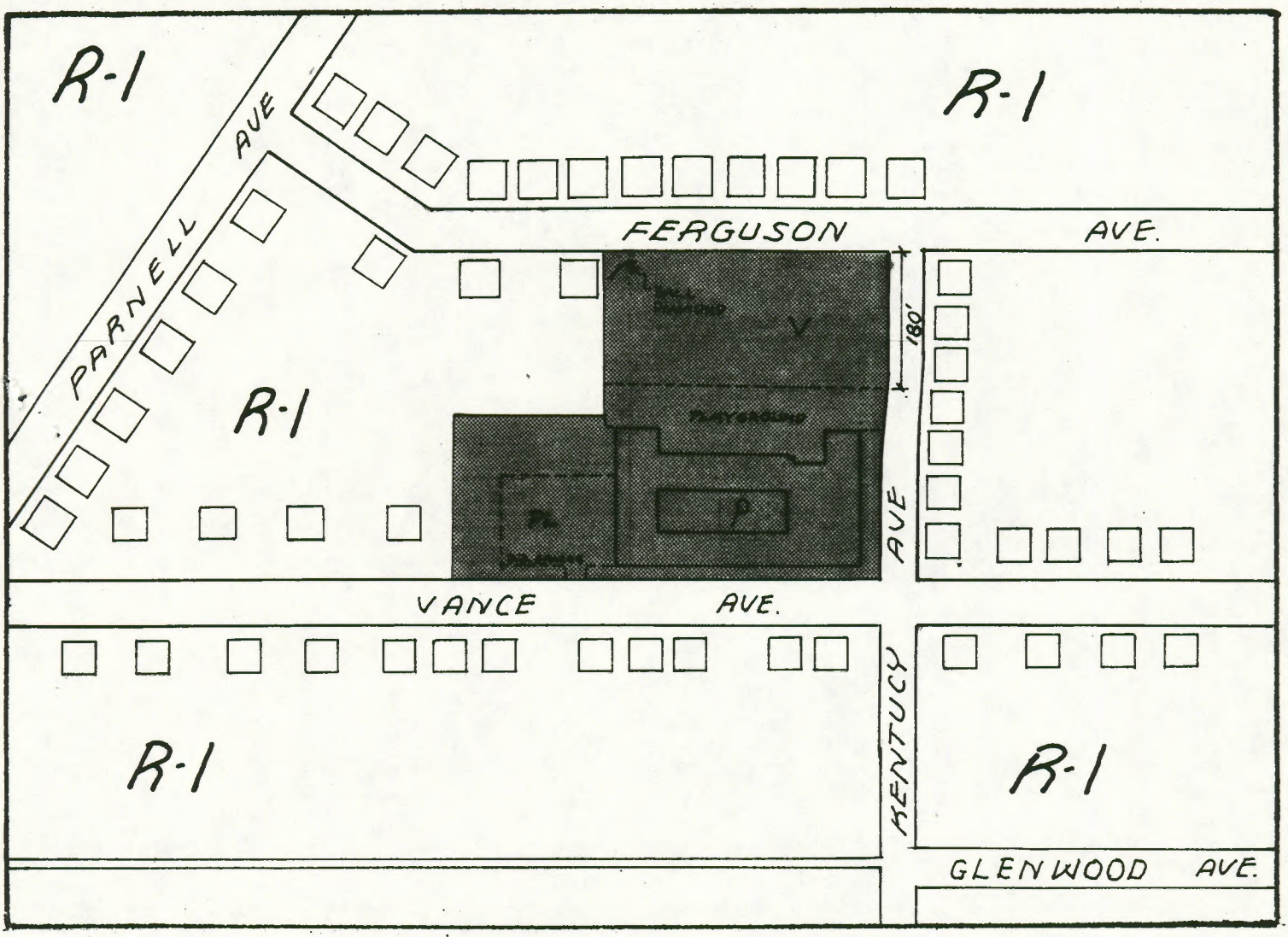
CONCURRED IN 9-11-84
SANDRA E. KENNEDY, CITY CLERK

ZONING PETITION -86

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM AN R-1 DISTRICT TO A P.O.D.

MAP NO. N-22

COUNCILMANIC DISTRICT NO. 2



ZONING:

R-1 RESIDENTIAL DISTRICT

LAND USE:

- ☐ SINGLE FAMILY
- [P] PUBLIC · INSTITUTIONIAL (SCHOOL)
- [PL] PARKING LOT

Z-84-08-16

SCALE: 1"=200'

6 - 20 - 84

NORTH

FACT SHEET

Z-84-08-16

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE
Zoning Ordinance Amendment

APPROVAL DEADLINE
None

REASON

DETAILS

Specific Location and/or Address

Riverside Elementary School,
1025 Vance Avenue

Reason for Project

Convert vacant school into professional offices.

Discussion (Including relationship to other Council actions)

Joe Christoff, attorney for the petitioner Zohrab Tazian stated that his client wished to convert the vacant school into professional offices.

(The POD request was being done at the request of the neighborhood who opposed the original request of R-3, with a variance for office uses.)

Ray Racine, Northside Neighborhood Assn., stated that they were not opposing the request but that they would like to restrict the property from being used as a Medical Clinic or for Day Care facilities.

No opposition.

August 27, 1984 - Business Meeting

Site Committee recommended DO PASS with the following conditions:

1) No medical offices be allowed.
2) 50 foot landscape buffer along Ferguson Avenue.
3) Access onto Kentucky Avenue is to be determined by Traffic Engineering.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Zohrab Tazian City Department Other
Opponents	Groups or Individuals None Basis of Opposition
Staff Recommendation	[X] For [ ] Against Reason Against
Board or Commission Recommendation	By [X] For [ ] Against [ ] No Action Taken [ ] For with revisions to conditions (See Details column for condition
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pass

DETAILS

The Commission approved the request as conditioned.

NOTE: The conditions will be met when the development plans are brought into the Commission for final approval.

POLICY/PROGRAM IMPACT

Policy or Program Change	[X] No [ ] Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** July 17, 1984

Projected Completion or Occupancy **Date** August 27, 1984

Fact Sheet Prepared by **Date** August 29, 1984

Patricia Biancaniello

Reviewed by **Date**

Reference or Case Number

Admin. Appr. _____

ORIGINAL DIGEST SHEET ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P 3-84-08-16

SYNOPSIS OF ORDINANCE Riverside Elementary School, 1025 Vance Avenue.

COUNCILMANIC DISTRICT NO. 2

EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residential.
Property will become POD - Professional Office District.

EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____